U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** SWG-06-41-002

PRAIFA	TIOCA	TION INI	FORMATION:

State: Texas County: Waller

Center coordinates of site (latitude/longitude): UTM15, 213650E, 3311518N

Approximate size of area (parcel) reviewed, including uplands: acres.

Name of nearest waterway: Bessie's Creek Name of watershed: Brazos River

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: 9 Jan 2006

Site visit(s) Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \(\sum \) there appear to be (or) \(\sum \) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
 - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: SWG-06-41-002 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. $\bar{\Box}$ Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Hockley Mound U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 DOQQ Other photographs (Date):

Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

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FILE	NUM	BER:	14114	(05)/858

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State: Texas County: Jackson

Center coordinates of site (latitude/longitude): UTM14, 750825E, 3180905N

Approximate size of area (parcel) reviewed, including uplands: acres.

Name of nearest waterway: Carancahua Bay Name of watershed: Carancahua Bay

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)



Date: 18 January 2006

Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \(\subseteq\) there appear to be (or) \(\subseteq\) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

Marker are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
 - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
 - (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 14114(05)/858

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank oil or scum line along shore objects fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation destruction of terrestrial vegetation other:
Ø	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA R	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Olivia, Texas U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Su

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-06-33-003

PROJECT LOCATION INFORMATION:

State: Texas County: Brazoria

Center coordinates of site (latitude/longitude): UTM15, 246500E, 3226598N

Approximate size of area (parcel) reviewed, including uplands: acres.

Name of nearest waterway: Brazos River Name of watershed: Brazos River

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

Date: 30 Jan 2006

Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or)} \subseteq \text{there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
 - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: SWG-06-33-003 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) High Tide Line indicated by: Ordinary High Water Mark indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: East Columbia U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date):

Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17753

FILE N	UMBER: I	D-17753				
PROJE	CT LOCA	TION IN	FORMATIO	N:		
Sta		TX	1011			
		Nueces				
	•		te (latitude/lon	gitude):	N27 49' 6.83", W97 51' 22.67"	
					ding uplands: .05 acres.	
			ay: Agua Dule			
	me of water		Baffin Bay			
			•			
			RMINATION			
Co	mpleted:	Desktop	determination	X	Date: 13 February 2006	
		Site visit	(s)	123	Date(s):	
Jur	isdictional	Determi	nation (JD):			
	United St	ates" and	ased on availa for "navigable part 331).	ble information waters of the	tion, \(\sum_{there appear to be \) (or) \(\sum_{there appear to be no \) "waters of the United States" on the project site. A preliminary JD is not appealable.	ne ole
×	Approved Check all			is an appealal	able action (Reference 33 CFR part 331).	
					1 States" (as defined by 33 CFR part 329 and associated guidance) wi dictional area:	thin
	☒ There reviewed	are "wate area. Ap	ers of the Unite proximate size	ed States" (a of jurisdiction	as defined by 33 CFR part 328 and associated guidance) within the ional area: .05 acres.	
	There	are "isol			-state waters or wetlands" within the reviewed area. WANCC/Migratory Bird Rule Information Sheet for Determination o	f No
RASIS 4	OF HIDISI	DICTION	NAL DETER	MINATION	N.	
Α.	Waters d The prese	efined ur nce of wa	nder 33 CFR ters that are su	part 329 as " abject to the e	"navigable waters of the United States": ebb and flow of the tide and/or are presently used, or have been used sport interstate or foreign commerce.	in
	(1) The printerstate (2) The printerstate (3) The printerstate, and flats, destruction (i) will (ii) fri	resence of or foreign resence of wetlands on of which hich are communications	f waters, which n commerce, in f interstate wat f other waters , sloughs, prai th could affect or could be use h fish or shellf	n are currently neluding all vivers including such as intras- rie potholes, interstate could by interstate d by interstate ish are or cou	a) as "waters of the United States": tly used, or were used in the past, or may be susceptible to use in waters which are subject to the ebb and flow of the tide. g interstate wetlands ¹ . astate lakes, rivers, streams (including intermittent streams), mudflats, wet meadows, playa lakes, or natural ponds, the use, degradation or commerce including any such waters (check all that apply): ate or foreign travelers for recreational or other purposes. build be taken and sold in interstate or foreign commerce. strial purposes by industries in interstate commerce.	

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US.
(5) The presence of a tributary to a water identified in (1) – (4) above.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
*	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
楼	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Banquete Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. A Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Banquete State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG

FILE N	UMBER: D-17674
Stat Cou Cer App Nar	CT LOCATION INFORMATION: te: TX unty: Nueces ter coordinates of site (latitude/longitude): N27 38'29.00", W97 41'13.14" proximate size of area (parcel) reviewed, including uplands: .5 acres. ne of nearest waterway: Petronilla Creek ne of watershed: Petronilla Creek
	pictional Determination mpleted: Desktop determination Site visit(s) Date: 13 February 20006 Date(s):
Jur	isdictional Determination (JD):
· · · · · · · · · · · · · · · · · · ·	Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or)} \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
×	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: .05 acres.
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B. 國	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (I) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands ¹ . (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above.

Lat ⊠	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other:
藍羅	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Other (explain):
DATA I	Cother (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Driscoll East Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Driscoll East State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Twetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17676

S	tate: 'ounty:	TX Nueces	FORMAT			NOT 4010 5211 WOT 461 40 5011
A N	pproximate	size of are rest waterw	te (latitude/ a (parcel) re ay: Banque Baffin Bay	eviewed, include te Creek	ding	N27 48' 9.53", W97 46' 48.50" suplands: .5 acres.
			RMINATI determinati (s)			Date: 13 February 2006 Date(s):
J	urisdiction	al Determi	nation (JD):		
8	United		or "navigal			, there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
2		ed JD – An		D is an appeals	able	action (Reference 33 CFR part 331).
				s of the United te size of juris		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
						defined by 33 CFR part 328 and associated guidance) within the all area: .05 acres.
	Thei	re are "isol		upported by S'		te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS	S OF JURI	SDICTIO	NAL DETE	RMINATIO	N:	
A	The pre	sence of wa	ters that are	subject to the	ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in rt interstate or foreign commerce.
Е	3. Waters	defined ur	nder 33 CF	R part 328.3(s	a) as	s "waters of the United States":
ទី	(1) The interstar	presence of te or foreign	f waters, when commerce	ich are current, including all	tly u wat	used, or were used in the past, or may be susceptible to use in the swhich are subject to the ebb and flow of the tide.
	(3) The sandflat destruct	presence of ts, wetlands tion of which which are of	f other water, sloughs, put could affer could be	rs such as intra rairie potholes ect interstate co used by intersta	astat s, we omn ate c	nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.
	_ 🗌 (iii) which are	or could be	used for indu	stria	al purposes by industries in interstate commerce.
	(5) The					s waters of the US. ied in (1) – (4) above.
5	(6) The		f territorial f wetlands a		ner u	waters of the US, except for those wetlands adjacent to other wetlands

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
24.5	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	Inable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Banquete Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Banquete State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17677

		D-17077				
Stat Cou Cer App Nar	e: inty: iter coordi proximate	TX Nueces nates of s size of are		e/longitude reviewed, Creek		N27 43' 40.99", W97 47' 48.87" g uplands: .5 acres.
			ERMINAT determina t(s)			Date: 13 February 2006 Date(s):
Jur	isdictiona	l Determ	ination (J	D):		
灩	United S	tates" and		able waters		, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable
×		d JD – Ai I that app		JD is an a	ppealable	e action (Reference 33 CFR part 331).
				ers of the U		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
						defined by 33 CFR part 328 and associated guidance) within the all area: .05 acres.
	There	e are "iso		supported		ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
				ERMINA		
A.	The prese	ence of w	aters that a	re subject t	to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
B.	(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (3) The printerstate (4) The p	presence of presence of presence of presence of s, wetland on of which are from which which are the which are	of waters, very commerce of interstate of other was, sloughs, ich could at or could be ch fish or see or could be so of waters	which are conce, including waters income ters such a prairie pot ffect interste used by inhellfish are be used for otherwise	urrently ung all wat cluding in s intrastat tholes, we tate comm nterstate of c or could industria defined a	s "waters of the United States": used, or were used in the past, or may be susceptible to use in the swhich are subject to the ebb and flow of the tide. Interstate wetlands. It lakes, rivers, streams (including intermittent streams), mudflats, the meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): for foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce. Is waters of the US. I ded in (1) – (4) above.

(5) The presence of a tributary to a material (6) The presence of territorial seas.
(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ other: ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
ran con	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
***	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: Driscoll West Quad U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces National wetlands inventory maps: Driscoll West State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2006 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (nlease specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17691

FIL	E NI	JMBER:	D-17691							
PRO	Cou Cen App Nam	e: nty: ter coordii roximate:	TX Nueces nates of si size of are	ite (latitudo ea (parcel) vay: Pintas Baffin B	e/longitude reviewed, cCreek		N27 43' 59.90", W97 46' 45.37" g uplands: .5 acres.			
JUF				ERMINAT determina t(s)		×	Date: 13 February 2006 Date(s):			
	Juri	isdictiona	l Determ	ination (J	D):					
		United S	tates" and		able water		there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable			
	×		d JD – Ar I that app		JD is an a	ppealable	e action (Reference 33 CFR part 331).			
							ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:			
		☑ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: .05 acres.								
		There	e are "iso		supported		ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.			
BAS	A.	Waters of The prese	defined u	aters that a	FR part 3 re subject	29 as "na to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in but interstate or foreign commerce.			
		(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (4) the printerstate (5) the p	oresence of e or foreign presence of presence of the wetland on of white which are from which	of waters, want commer- of interstate of other was, sloughs, ch could a or could be other than the first or s	which are come, including waters in ters such a prairie poffect interse used by inhellfish are	currently ung all wat cluding ir as intrastat tholes, we state community and community the community and community	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. It be taken and sold in interstate or foreign commerce.			

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US.(5) The presence of a tributary to a water identified in (1) – (4) above.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other: □ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
250 250 250 250 250 250 250 250 250 250	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: Driscoll West Quad U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Driscoll West State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: D17692

PRO	JEC	CT LOCATION INFORMATION:		
	State			
		inty: Nueces		
	Cent	iter coordinates of site (latitude/longitude):		N27 55' 5.02", W97 51' 47.48"
	App	proximate size of area (parcel) reviewed, inc	cluding	uplands: .5 acres.
		ne of nearest waterway: Quinta Creek		
	Nam	ne of watershed: Baffin Bay		
		ICTIONAL DETERMINATION		
	Con	npleted: Desktop determination Site visit(s)	1	Date: 13 February 2006
		Site visit(s)	Ĭ	Date(s):
				• •
		isdictional Determination (JD):		
	7	Preliminary JD - Based on available informunited States" and/or "navigable waters of (Reference 33 CFR part 331).	mation, f the Ur	☐ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
		(
	X	Approved JD - An approved JD is an appe Check all that apply:	ealable	action (Reference 33 CFR part 331).
		There are "navigable waters of the Unithe reviewed area. Approximate size of ju	ited Sta irisdicti	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:
		There are "waters of the United States' reviewed area. Approximate size of jurisd	" (as de lictiona	efined by 33 CFR part 328 and associated guidance) within the l area: .05 acres.
				e waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BAG	is o	OF JURISDICTIONAL DETERMINATI	ON.	
		Waters defined under 33 CFR part 329		vigable waters of the United States".
				and flow of the tide and/or are presently used, or have been used in
	ت	the past, or may be susceptible for use to the		
		the past, of may be susceptible for use to the	ianspor	interstate of foreign commerce.
	В.	Waters defined under 33 CFR part 328.	3(a) as	"waters of the United States".
				sed, or were used in the past, or may be susceptible to use in
				ers which are subject to the ebb and flow of the tide.
		(2) The presence of interstate waters include	ding int	erstate wetlands 1
	震			e lakes, rivers, streams (including intermittent streams), mudflats,
	_			meadows, playa lakes, or natural ponds, the use, degradation or
				erce including any such waters (check all that apply):
				r foreign travelers for recreational or other purposes.
				be taken and sold in interstate or foreign commerce.
				purposes by industries in interstate commerce.
	類	(4) Impoundments of waters otherwise def		
	\boxtimes	(5) The presence of a tributary to a water is		
		(6) The presence of territorial seas.		(-) (-)
	100 miles		other w	aters of the US, except for those wetlands adjacent to other wetlands.
	_			. ,

Lat	ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ other: □ other:										
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.										
3	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:										
Bas Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):										
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: San Patricio Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: San Patricio State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):										

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D17693

	State Cour Cent App Nam	e: nty: ter coordir roximate:	TX Nueces nates of si size of are		e/longitude reviewed, a Creek		N27 53' 16.68", W97 51' 1.61" uplands: .5 acres.
JUR		npleted: Desktop		DETERMINATION Jesktop determination Jestic visit(s)		× E	Date: 13 February 2006 Date(s):
	Juri	sdictiona	l Determ	ination (J	D):		
		United S	tates" and		able water		there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
	×		d JD – Ar l that app		l JD is an a	ppealable	action (Reference 33 CFR part 331).
					ters of the l		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
		There reviewed	<i>are</i> "wat l area. Ap	ers of the	United Sta	tes" (as d	efined by 33 CFR part 328 and associated guidance) within the all area: .05 acres.
		There	e are "iso		supported		te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BAS	A.	Waters of The prese	defined u	nder 33 Caters that a	re subject	29 as "na to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in tinterstate or foreign commerce.
		(1) The printerstate	oresence of or foreig	of waters, v	which are c ce, includi	urrently ung all wat	s "waters of the United States": sed, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. terstate wetlands ¹ .
		(3) The p sandflats destruction (i) w (ii) f (iii) f (4) Impo	oresence of the wetlands on of which which are from which which are undments	of other was, sloughs, ch could a cor could be ch fish or second a cor could a cor could a cor could a cor waters	prairie por ffect inters e used by in thellfish are be used for otherwise	s intrastat tholes, we tate comm nterstate of or could industria defined as	e lakes, rivers, streams (including intermittent streams), mudflats, t meadows, playa lakes, or natural ponds, the use, degradation or herce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce.
		(6) The p	resence o	f territoria	ıl seas.		ed in (1) – (4) above. vaters of the US, except for those wetlands adjacent to other wetlands.

Lat	Ordinary High Water Mark indicated by: I clear, natural line impressed on the bank I the presence of litter and debris I changes in the character of soil I destruction of terrestrial vegetation I shelving I other: I High Tide Line indicated by: I oil or scum line along shore objects I fine shell or debris deposits (foreshore) I physical markings/characteristics I tidal gages I other: I other:
额	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
1 (14) 1300	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas S S S S S S S S S S S S S	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Other (explain):
DATA I	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: San Patricio Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: D17694

PROJ	JEC	T LOCATION	N INFORMATION:		
S	tate	: TX			
	Coun				
C	Cente	er coordinates of	of site (latitude/longitu	N27 53' 43.25", W97 52' 38.51"	
			f area (parcel) reviewe	d, includin	g uplands: .5 acres.
N	Jam	e of nearest war	terway: Leon Creek		
Ŋ	Vamo	e of watershed:	Baffin Bay		
JURI	SDI	CTIONAL DE	ETERMINATION		
(Com	pleted: Desk	top determination	⊠	Date: 13 February 2006
		Site v	visit(s)	×	Date(s):
			(0)		2410(0).
J			ermination (JD):		
		United States"			n, \square there appear to be (or) \square there appear to be no "waters of the Jnited States" on the project site. A preliminary JD is not appealable
		Approved JD – Check all that a		appealabl	e action (Reference 33 CFR part 331).
			navigable waters of threa. Approximate size		tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	1	There are "reviewed area.	waters of the United S Approximate size of	tates" (as jurisdiction	defined by 33 CFR part 328 and associated guidance) within the lal area: .05 acres.
		There are "			ate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.
RASI	s o	F.HIRISDICT	TIONAL DETERMIN	JATION.	·
					avigable waters of the United States":
		The presence of	f waters that are subject	ct to the eb	b and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
E	3.	Waters define	d under 33 CFR part	328.3(a) a	s "waters of the United States":
8					used, or were used in the past, or may be susceptible to use in
_					ters which are subject to the ebb and flow of the tide.
\$9 18	*	(2) The present	ce of interstate waters	including i	nterstate wetlands ¹ .
99					te lakes, rivers, streams (including intermittent streams), mudflats,
_	_				et meadows, playa lakes, or natural ponds, the use, degradation or
					merce including any such waters (check all that apply):
					or foreign travelers for recreational or other purposes.
					d be taken and sold in interstate or foreign commerce.
					al purposes by industries in interstate commerce.
2			ents of waters otherwis		
Š			ce of a tributary to a w		
i			ce of territorial seas.		
				t2 to other	waters of the US, except for those wetlands adjacent to other wetlands.
-	_	(,		7. 7	

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
(\$100) (\$100) (\$100)	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Orange Grove Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D17695

PRO.	JEC	T LOCA	TION IN	FORMATION:		
5	State	e:	TX			
(Cou	nty:	Nueces			
(Cent	er coordin	nates of sit	te (latitude/longitu	de):	N27 53' 37.98", W97 52' 42.30"
						g uplands: .5 acres.
				ay: Leon Creek	,	5 - F
		e of water		Baffin Bay		
				,		
JURI	SD	ICTIONA	L DETE	RMINATION		
(Com	pleted:	Desktop (determination	M	Date: 13 February 2006
		•	Site visit(这	Date(s):
			5110 11511((3)	2000	Date(s).
J				nation (JD):		
		Prelimina	ry JD - Ba	ased on available i	information	, \square there appear to be (or) \square there appear to be no "waters of the
		United St	ates" and/	or "navigable wat	ers of the L	Inited States" on the project site. A preliminary JD is not appealable
		(Reference	e 33 CFR	part 331).		
	X	Approved	JD – An	approved JD is an	appealable	e action (Reference 33 CFR part 331).
		Check all	that apply	y:		
		_				
		There	are "navi	gable waters of th	e United St	ates" (as defined by 33 CFR part 329 and associated guidance) within
		the review	ved area.	Approximate size	of jurisdict	tional area: .
		_				
						defined by 33 CFR part 328 and associated guidance) within the
		reviewed	area. App	proximate size of j	urisdiction	al area: .05 acres.
		There				ate waters or wetlands" within the reviewed area.
			10		ed by SWA	NCC/Migratory Bird Rule Information Sheet for Determination of No
				Jurisdiction.		
				NAL DETERMIN		
						avigable waters of the United States":
l						and flow of the tide and/or are presently used, or have been used in
		the past, of	or may be	susceptible for us	e to transpo	rt interstate or foreign commerce.
						s "waters of the United States":
E	733					used, or were used in the past, or may be susceptible to use in
_						ters which are subject to the ebb and flow of the tide.
						nterstate wetlands ¹ .
		(3) The p	resence of	other waters such	as intrasta	te lakes, rivers, streams (including intermittent streams), mudflats,
		sandflats,	wetlands,	, sloughs, prairie p	otholes, we	et meadows, playa lakes, or natural ponds, the use, degradation or
		destruction	on of whic	h could affect inte	rstate comi	nerce including any such waters (check all that apply):
		☐ (i) w	hich are o	r could be used by	interstate	or foreign travelers for recreational or other purposes.
		(ii) fi	rom which	n fish or shellfish a	are or could	be taken and sold in interstate or foreign commerce.
		(iii)	which are	or could be used f	or industria	Il purposes by industries in interstate commerce.
[100					s waters of the US.
						ied in (1) – (4) above.
ĺ	4	(6) The p	resence of	f territorial seas.		
	T.				t2 to other v	waters of the US, except for those wetlands adjacent to other wetlands.
	_			ů		

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ tidal gages ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas S	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Orange Grove Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Minute Topographs (Nature

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: D17696

FILE N	U MBER:	D17696				
Stat Cou Cen App Nan	e: inty: iter coordi proximate	TX Nueces inates of s size of ar rest waterv		:/longitude) reviewed, i Creek		N27 52' 45.65", W97 52' 0.85" uplands: .05 acres.
			ERMINAT determinat t(s)			Date: 13 February 2006 Date(s):
Jur ⊞	Prelimin United S (Referent Approve Check a There the reviewed)	nary JD - In States" and and a JD - And II that appure are "navewed area. Appure are "wad area. Appure area.	I/or "navige R part 331) In approved Iy: Vigable wat Approximates of the Poproximate Lated, non-	railable infoable waters JD is an apers of the Unate size of United State size of jurinavigable, supported	of the U ppealable United Sta jurisdict es" (as disdictional intra-sta	there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable action (Reference 33 CFR part 331). Ates" (as defined by 33 CFR part 329 and associated guidance) within ional area: Defined by 33 CFR part 328 and associated guidance) within the all area: .05 acres. The waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
A.	Waters The present the past, Waters (1) The interstat (2) The (3) The sandflat destruct	defined user of whom the defined user or foreign presence of presence of the presence of the defined user	nder 33 C aters that a e susceptib nder 33 C of waters, v en commerce of interstate of other wa s, sloughs, ch could at	re subject to the for use to the for use to the for use to the formal to	29 as "na o the ebb o transpo 28.3(a) as urrently us all wat cluding in s intrastat holes, we ate comm	avigable waters of the United States": and flow of the tide and/or are presently used, or have been used in an interstate or foreign commerce. s "waters of the United States": used, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide. uterstate wetlands. te lakes, rivers, streams (including intermittent streams), mudflats, at meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

☐ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 ☐ (iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.
(5) The presence of a tributary to a water identified in (1) – (4) above.

Lat	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other: □ destruction of Jurisdiction: (Reference: 33 CFR parts 328 and 329) □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other:
受教 经数	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
姿	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: San Patricio Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic soil Survey: Nueces Co. National wetlands inventory maps: San Patricio State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17710

PROJE	CT LOCA	TION IN	FORMATION:							
Sta		TX								
	unty:	Nueces								
Ce	Center coordinates of site (latitude/longitude): N27 49' 52.73", W97 50' 21.69" Approximate size of area (parcel) reviewed, including uplands: . 05 acres.									
				, including	g uplands: . 05 acres.					
	me of near		ay:							
Na	me of wate	rshed:								
JURISI	DICTION	L DETE	RMINATION							
			determination	X	Date: 13 February 2006					
		Site visit	(s)	×	Date(s):					
_				3						
Ju			nation (JD):							
吳					, \square there appear to be (or) \boxtimes there appear to be no "waters of the					
				rs of the U	inited States" on the project site. A preliminary JD is not appealable					
	(Referen	ce 33 CFR	part 331).							
\boxtimes	Annrove	d ID – An	approved ID is an	annealahle	action (Reference 33 CFR part 331).					
	Check al	that apply	v:	иррошиот	aution (Noticiones 33 Cr it part 33 1).					
			,							
	There	<i>are</i> "navi	gable waters of the	United Sta	ates" (as defined by 33 CFR part 329 and associated guidance) within					
	the revie	wed area.	Approximate size of	of jurisdict	ional area:					
	There	ara "wate	ers of the United St	ates" (as d	defined by 33 CFR part 328 and associated guidance) within the					
			proximate size of ju							
			prominate size or ju							
	🌉 There				ate waters or wetlands" within the reviewed area.					
		发发		d by SWA	NCC/Migratory Bird Rule Information Sheet for Determination of No					
			Jurisdiction.							
BASIS	OF JURIS	DICTION	NAL DETERMINA	ATION:						
					ivigable waters of the United States":					
25	The prese	ence of wa	ters that are subject	to the ebb	and flow of the tide and/or are presently used, or have been used in					
					rt interstate or foreign commerce.					
ъ	Water		-1 22 CED4	330 3(-) -	- Woman - Cally IV '4- J Canada W.					
B.					s "waters of the United States": used, or were used in the past, or may be susceptible to use in					
禁					ters which are subject to the ebb and flow of the tide.					
			f interstate waters in							
					te lakes, rivers, streams (including intermittent streams), mudflats,					
_					et meadows, playa lakes, or natural ponds, the use, degradation or					
					nerce including any such waters (check all that apply):					
					or foreign travelers for recreational or other purposes.					
					be taken and sold in interstate or foreign commerce.					
_					Il purposes by industries in interstate commerce.					
			of waters otherwise							
X				ter identifi	ed in (1) – (4) above.					
			f territorial seas. f wetlands adjacent ²	to other v	waters of the US, except for those wetlands adjacent to other wetlands.					
120	(/) The p	nescrice of	wettands adjacent	to outer v	raters of the 65, except for those wettailes adjacent to other wettailes.					

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other: □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other:
No. of Street,	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
2	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas 靈 夏	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Banquete Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Banquete State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17711

PRO	State		ATION:	
	App Nam	ter coordinates of site (latitu proximate size of area (parce ne of nearest waterway: We	el) reviewed, includin	N27 45' 9.29", W97 35' 39.62" g uplands: .5 acres.
JUF		npleted: Desktop determi Site visit(s)		Date: 13 February 2006 Date(s):
	Juri	isdictional Determination	(JD):	
	¥P.		igable waters of the I	n, \square there appear to be (or) \boxtimes there appear to be no "waters of the Jnited States" on the project site. A preliminary JD is not appealable
	X	Approved JD – An approve Check all that apply:	ed JD is an appealabl	e action (Reference 33 CFR part 331).
		There are "navigable w the reviewed area. Approx		tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		There are "waters of the reviewed area. Approximate		defined by 33 CFR part 328 and associated guidance) within the nal area: .05.
			on supported by SWA	ate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.
BAS	SIS C	OF JURISDICTIONAL DI	ETERMINATION:	
		The presence of waters tha	t are subject to the eb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
	B. 章	(1) The presence of waters	, which are currently erce, including all wa	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. nterstate wetlands ¹ .
	整響	sandflats, wetlands, slough destruction of which could (i) which are or could (ii) from which fish o (iii) which are or could (iii) which are or could	as, prairie potholes, was affect interstate com be used by interstate r shellfish are or could be used for industri	ate lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. d be taken and sold in interstate or foreign commerce. al purposes by industries in interstate commerce.
	墨圖器器	(4) Impoundments of wate(5) The presence of a tribu(6) The presence of territo(7) The presence of wetlan	tary to a water identi- rial seas.	

Lat	ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
9	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
は では では では では では では では では では できる できる できる できる できる できる できる できる できる できる	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas X	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Annaville Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG

FIL	E NU	JMBER:	D17712			
PRO	Cou Cent App Nam	e: nty: ter coordi roximate	TX Nueces nates of sir size of are est waterw	te (latitude/long a (parcel) review ay: Oso Creek Corpus Christi	itude): wed, including	N27 42' 8.30", W97 30' 47.66" g uplands: .5 acres.
JUF				RMINATION determination (s)		Date: 13 February 2006 Date(s):
	Juri	isdictiona	l Determi	nation (JD):		
	Æ.	Prelimina United S	ary JD - B tates" and	ased on available		n, there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
	X		d JD – An I that appl		an appealable	e action (Reference 33 CFR part 331).
				gable waters of Approximate si		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
						defined by 33 CFR part 328 and associated guidance) within the al area: .05 acres.
		There	e are "isol 📳			ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BAS	A.	Waters of The prese	defined ur ence of wa	ters that are sub	art 329 as "na eject to the ebl	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
		(1) The printerstate (2) The property (3) The property sandflate destruction	oresence of or foreign oresence of oresence of s, wetlands on of whice	f waters, which in commerce, incommerce, incommerce, incommerce of interstate water such as the could affect in the country of the could affect in	are currently bluding all wars including in including in inch as intrastate potholes, wenterstate comi	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. Interstate wetlands. It lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) - (4) above.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other: □ destruction of terrestrial vegetation □ other: □ other:
题	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Petronila NE Quad U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Petronila NE State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-17750

PROJE	CT LOCAT	ION IN	FORMATION:						
Stat	te: T	ΓX							
		Vueces							
	Center coordinates of site (latitude/longitude): N27 44'17.73", W97 35'37.76"								
	Approximate size of area (parcel) reviewed, including uplands: .5 acres.								
			ay: West Oso Creel						
Nar	ne of waters	hed:	Corpus Christi Bay	,					
HIDIGE	ICTIONAI	DETE	RMINATION						
			determination	×	Date: 13 February 2006				
	-	Site visit(×	Date(s):				
		one visin	3)	200	Date(s).				
Jur			nation (JD):		_				
		tes" and/	or "navigable water		, \(\text{\text{there appear to be (or)} \text{\text{\text{N}}}\) there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable				
×	Approved . Check all t			appealable	action (Reference 33 CFR part 331).				
			gable waters of the Approximate size o		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:				
			ers of the United States		defined by 33 CFR part 328 and associated guidance) within the al area:				
		are "isolo			tte waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No				
DACICA	AE HIDIED	ICTION	IAI DETERMINI	TION.					
			NAL DETERMINA		ivigable waters of the United States":				
A.	The presen	ce of wat	ters that are subject	to the ebb	o and flow of the tide and/or are presently used, or have been used in art interstate or foreign commerce.				
В.	Waters de	fined un	der 33 CFR nart 3	128 3(a) a	s "waters of the United States":				
经 包					used, or were used in the past, or may be susceptible to use in				
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.								
100 P			interstate waters in						
胞					te lakes, rivers, streams (including intermittent streams), mudflats,				
					et meadows, playa lakes, or natural ponds, the use, degradation or				
					nerce including any such waters (check all that apply):				
					or foreign travelers for recreational or other purposes.				
					be taken and sold in interstate or foreign commerce.				
177	_ ` '				al purposes by industries in interstate commerce.				
100 mg/s			of waters otherwise		is waters of the US . ied in $(1) - (4)$ above.				
製料	•		•	ier identiii	led III (1) – (4) above.				
(§50)	 (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. 								
لنبتا	(/) The pic		Jiiaiiao aajaooni	cmivi	22 20, energy to most mentalian anjavent to onthe formation				
Ra	tionale for t	he Rasis	of Jurisdictional l	Determin	ation (applies to any hoves checked above). If the jurisdictional				

Lat	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ other: □ High Tide Line indicated by: □ oil or scum line along shore objects □ fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Orange Grove Quad U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: Nueces County National wetlands inventory maps: Orange Grove State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Google 2005 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: D-18264

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Matagorda

Center coordinates of site (latitude/longitude):

UTM 15, 239940E, 3189983N

Approximate size of area (parcel) reviewed, including uplands:

acres.

Name of nearest waterway: Caney Creek Name of watershed: Caney Creek

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

Date: 13 February 2006

Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, I there appear to be (or) I there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

X There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
- (2) The presence of interstate waters including interstate waters for a sintrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
 - (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

TI.	F	NI	TM	D	LD.

Ordinary High Water Mark indicated by: Clear, natural line impressed on the bank Changes in the character of soil destruction of terrestrial vegetation shelving ordinary High Water Mark indicated by: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land fo the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Sargent, Texas U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Hotological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: 24114

PR	OJE	CTL	OCA	TION	INFORM	IATION:

State:

Texas

County:

Matagorda

Center coordinates of site (latitude/longitude):

UTM 15, 241232,E, 3188570N

Approximate size of area (parcel) reviewed, including uplands:

acres.

Name of nearest waterway: Caney Creek Name of watershed:

Caney Creek

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)



Date: 13 February 2006

Date(s):

Jurisdictional Determination (JD):

Preliminary ID - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 24114

eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: Clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:
Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Sargent, Texas U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Galveston FILE NUMBER: LOP24073 / D-18329

DDAIRCT	LOCATION	INFORMATION:
LKOJECI	LUCATION	INTURMATION:

State: **Texas** County: Cameron

Center coordinates of site (latitude/longitude): 26.33N / 97.44W Approximate size of area (parcel) reviewed, including uplands: 1 acres.

Name of nearest waterway: Arroyo Colorado Name of watershed: Lower Laguna Madre

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Š Date: 23 Jan 2006 Site visit(s) Date(s):

Jurisdictional Determination (JD):

\times	Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the appear to be no be
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

15.5	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters including interstate wetlands ¹ .
	(3) The presence of other waters such as intrastate takes, rivers, streams (including intermittent streams), mudflats,
	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
	destruction of which could affect interstate commerce including any such waters (check all that apply):
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
<u>**</u> 2	(4) Impoundments of waters otherwise defined as waters of the US.
2.88	(5) The presence of a tributary to a water identified in (1) = (4) above

he presence of a tributary to a water identified in (1) - (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 24073 / D-18329

	ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ other: □ other: □ High Tide Line indicated by: □ oil or scum line along shore objects □ fine shell or debris deposits (foreshore) □ physical markings/characteristics □ tidal gages □ other:
×	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
20	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas 翻 查 世	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Galveston FILE NUMBER: D-17398

PROJECT LOCATION INFORMATION:

State: Texas County: Nueces

Center coordinates of site (latitude/longitude): 27 42 2.7496; 97 09 15.2687 Approximate size of area (parcel) reviewed, including uplands: 23.58 acres.

Name of nearest waterway: Corpus Christi Bay Name of watershed: South Corpus Christi Bay

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: 24 Feb 2006

Site visit(s) Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \(\square\$ there appear to be (or) \(\square\$ there appear to be no "waters of the
United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: ___acre.

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: ____ acres.

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

Α.	Waters defined	l under 33 CFR	part 329 as	"navigable waters	of the U	Jnited States"	:

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
 - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
 - (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: D-17398

	ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: hydrophytic vegetation Ordinary High Water Mark indicated by: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
X	☐ This office concurs with the delineation report, dated 12 Dec 2005, prepared by (ERIS): ☐ This office does not concur with the delineation report, dated, prepared by (company):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-18158

PROJECT LOCATION INFORMATION:

State: Texas County: Refugio

Center coordinates of site (latitude/longitude): 28-10-42.8711 97-17-50.7179 Approximate size of area (parcel) reviewed, including uplands: approx. 3 acres.

Name of nearest waterway: Chocolate Swale (Creek)

Name of watershed: Mission River

JURISDICTIONAL DETERMINATION

Completed:	Desktop determination	A	Date: 24 February 2006
	Site visit(s)		Date(s):

Jurisdictional	Determination	(JD)):
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8	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
X	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A.	Waters defined	under 33	CFR part 329	as "navigable	waters of the	United States"	٠:
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The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
- (2) The presence of interstate waters including interstate wetlands¹.
- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: D-18158 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) physical markings/characteristics changes in the character of soil tidal gages destruction of terrestrial vegetation other: shelving other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. П Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Woodsboro U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Refugio County National wetlands inventory maps: Woodsboro State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Refugio County, Community Panel No. 485501 038C Map March 18, 1985 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on:

Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: 23750(01)

PROJECT LOCATION INFORMATION	PR	OJECT	LOCAT	ION	INFORM	IATION:
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State: Texas County: Chambers

Center coordinates of site (latitude/longitude): 29.7145N: 94.9317W Approximate size of area (parcel) reviewed, including uplands: 5 acres.

Name of nearest waterway: Cedar Bayou Name of watershed: Galveston Bay

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: 28 February 2006

Site visit(s) Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

🔀 There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 1 acre.

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

[3] (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands¹.

(2) The presence of interstate waters including interstate wedlands.
(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 23750(01)

	Ordinary High Water Mark indicated by: Clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation other: High Tide Line indicated by: Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
2	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
靐	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA R	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Morgans Point, Texas U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Autural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: 24123

PROJECT LOCATION INFORMATION:

State:

Texas

County: Chambers

Center coordinates of site (latitude/longitude):

29.6191N; 94.4623W

Approximate size of area (parcel) reviewed, including uplands: 3.25 acres.

Name of nearest waterway: East Bay Bayou

Name of watershed: East Galveston Bay

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

Date: 28 February 2006

Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq \text{ there appear to be no "waters of the property United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 3.25 acres.

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands.

- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 24123

	Cordinary High Water Mark indicated by:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
8	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA R	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: High Island, Texas U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Historic
35	Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: Galveston District

FILE NUMBER: 24070

PROJECT LOCATION INFORMATION:

State: Texas County: Polk

Center coordinates of site (latitude/longitude): 30.7052 N / 95.0672 W Approximate size of area (parcel) reviewed, including uplands: 0.34 acres.

Name of nearest waterway: Lake Livingston Name of watershed: Trinity River

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: 2/28/06
Site visit(s) Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, ____ there appear to be (or) ____ there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.34 acre.

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
 - (2) The presence of interstate waters including interstate wetlands¹.
 - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
 - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
 - (4) Impoundments of waters otherwise defined as waters of the US.
 - (5) The presence of a tributary to a water identified in (1) (4) above.
 - (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: 24070

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
×	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
8	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Blanchard, Tx U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Acrial Photographs (Map Name & Date): Do-year Floodplain Elevation is: (NGVD) Acrial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** 12769(08)/002

PROJ	ECT LOC	ATION INFORMATIO	ON:								
	tate:	TX									
C	ounty:	Nueces									
C	enter coord	linates of site (latitude/lo	ngitude):	N27.81067 W97.15581							
		e size of area (parcel) rev		ng uplands: 14.0 acres.							
		rest waterway: Corpus C									
	ame of wat										
		•	•								
JURIS	DICTION	IAL DETERMINATIO	N								
C	ompleted:	Desktop determination	n 🔀	Date: 3/1/2006							
		Site visit(s)	n Kanada Malamada	Date(s):							
		()	_	· /							
J	urisdiction	al Determination (JD):									
1	Prelimir	nary ID - Based on avail	able informatio	n , \square there appear to be (or) \square there appear to be no "waters of the							
نعا				United States" on the project site. A preliminary JD is not appealable							
		nce 33 CFR part 331).	waters of the	omitte dialect on the project site. The premiminary 12 is not appearable							
	(,									
Σ	Approve	ed JD – An approved JD	is an appealab	le action (Reference 33 CFR part 331).							
_	Check a	all that apply:	• •	, ,							
		•••									
	🔀 Ther	re are "navigable waters	of the United S	States" (as defined by 33 CFR part 329 and associated guidance) within							
	the revie	ewed area. Approximate	size of jurisdie	ctional area: 1.0 acres.							
	_										
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:											
									F271		
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.										
	Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of										
		Jurisdiction.									
DACIO	OF HIDE	SDICTIONAL DETER	MINATION.								
				navigable waters of the United States":							
Ď											
2		The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.									
	the pust	, or may be susceptible i	or use to trainsp	interstate of foreign commerce.							
В	. Waters	defined under 33 CFR	nart 328.3(a)	as "waters of the United States":							
				used, or were used in the past, or may be susceptible to use in							
_				aters which are subject to the ebb and flow of the tide.							
		(2) The presence of interstate waters including interstate wetlands ¹ .									
B		(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,									
		sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or									
				nmerce including any such waters (check all that apply):							
	(i)	which are or could be us	ed by interstate	or foreign travelers for recreational or other purposes.							
				ld be taken and sold in interstate or foreign commerce.							
		(iii) which are or could be used for industrial purposes by industries in interstate commerce.									
ð	(4) Imp	oundments of waters oth	erwise defined	as waters of the US.							
	(5) The	presence of a tributary to	o a water identi	fied in (1) – (4) above.							
Ž.	(6) The	presence of territorial se									
3	(7) The	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.									

	Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
×	Mean High Water Mark indicated by: ⊠ survey to available datum; □ physical markings; □ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas IIII	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Port Ingleside, TX U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Port Ingleside, TX State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): GLO 2002 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: 12769(08)/003

(6) The presence of territorial seas.

ar to be no "waters of the inary JD is not appealable									
ssociated guidance) within									
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:									
area. eet for Determination of No									
ised, or have been used in									
esceptible to use in of the tide. tent streams), mudflats, the use, degradation or that apply): r purposes. commerce.									
t tl									

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ others □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
×	Mean High Water Mark indicated by: ⊠ survey to available datum; □ physical markings; □ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Port Ingleside, TX U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Port Ingleside, TX State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): GLO 2002 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23753

5	State		Texas		RMA	ΓΙΟΝ:				
1	Cent App Varr		size of est wate	f site (area (p erway:	oarcel): Gulf I	reviewed ntracoasta	, including al Waterw	29° 27' 54" N, 94° 39' 04" W g uplands: 0.035 acres. vay (GIWW) Galveston Bay		
		ICTION A		op dete			×	Date: 2 March 2006 Date(s):		
j	Juri	sdictiona	l Deter	minat	ion (JI)):				
I			tates" a	nd/or '	"naviga	ble wate		n, \square there appear to be (or) \square there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable		
ı	Ø	Approved Check all			proved	JD is an	appealable	e action (Reference 33 CFR part 331).		
								tates" (as defined by 33 CFR part 329 and associated guidance) within ctional area:		
		There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:								
		There	are "i	De		supporte		ate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.		
BASI	S O	F JURIS	DICT	ONA	L DET	ERMIN	ATION:			
		OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.								
	X	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.								
		(3) The p sandflats destruction (i) w	oresence, wetland on of working the one which are from with	e of oth nds, slo hich core e or co hich fis	her wat oughs, j ould af ould be sh or sh	ers such a prairie po fect inter- used by a nellfish ar	as intrasta otholes, we state comr interstate or e or could	ate lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. d be taken and sold in interstate or foreign commerce. al purposes by industries in interstate commerce.		
ļ		(5) The p (6) The p	resence resence	e of a t e of ter	ributar ritorial	y to a wa	ter identifi	as waters of the US. fied in (1) – (4) above. waters of the US, except for those wetlands adjacent to other wetlands.		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: The GIWW was built as a navigation channel for intrastate commerce. It is subject to the ebb and flow of the tide and is used to transport goods along the coast. Therefore it is a navigable water of the United States.

FILE NUMBER: 23753

	ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
\boxtimes	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Flake, Texas Quadrangle U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: National wetlands inventory maps: Flake, Texas Quadrangle State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: 20 October 2005 Applicable/supporting case law:
∇	Other information (please specify). Multiple other permits along the GIWW

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG FILE NUMBER: 24111

PRO	JEC	T LOCA	TION IN	FORMATION:			
	State	e:	Texas				
	Cou		Brazoria				
				te (latitude/longitud			Longitude 95° 40′ 52″W (NAD 27)
				a (parcel) reviewed		uplands: acres.	
				vay: San Bernard Ri	ver		
	Nam	e of water	rshed:	San Bernard Huc:	1209040		
JUR				RMINATION			
	Соп	ipleted:	Desktop	determination	⊠ □	Date: 2 March 2006	
			Site visit	(s)		Date(s):	
	Juri	sdictional	l Determi	ination (JD):			
		Prelimina	ary JD - B	ased on available in	formation	there appear to be	(or) there appear to be no "waters of the
		United St	ates" and	or "navigable water	rs of the U	nited States" on the pro	ject site. A preliminary JD is not appealable
				R part 331).			,
		•					
	X				appealable	action (Reference 33 C	FR part 331).
		Check all	that appl	y:			
		F71					
							CFR part 329 and associated guidance) within
		the review	wed area.	Approximate size of	of jurisdict	onal area: .	
		KZ mi		C41 - 11 '4 1 C4		C	220 1 1 1 1 1 1 1
							328 and associated guidance) within the
		reviewed	area. Ap	proximate size of ju	risdictiona	area:	
		Thora	ama "inal	latad non naviaahla	intra sta	a waters or wetlands" v	within the reviewed area.
		I nere	are isol				ule Information Sheet for Determination of No
				Jurisdiction.	1 by S W A	ACCIVILIZITATOLY DITU KI	the information sheet for Determination of No
				Julisaletion.			
RAS	SIS O	F.IURIS	DICTIO	NAL DETERMINA	ATION:		
						vigable waters of the l	Inited States":
							d/or are presently used, or have been used in
						t interstate or foreign c	
		me paes,	o, o.	одобриото тог шос			
	В.	Waters o	lefined u	nder 33 CFR part 3	328.3(a) a:	"waters of the United	l States":
	\boxtimes						e past, or may be susceptible to use in
	_						the ebb and flow of the tide.
	· ·	(2) The p	resence o	f interstate waters in	cluding ir	terstate wetlands ¹ .	
		(3) The p	resence o	f other waters such	as intrastat	e lakes, rivers, streams	(including intermittent streams), mudflats,
		sandflats	, wetlands	s, sloughs, prairie po	tholes, we	meadows, playa lakes,	, or natural ponds, the use, degradation or
		destruction	on of whic	ch could affect inter-	state comn	erce including any sucl	h waters (check all that apply):
							ecreational or other purposes.
							terstate or foreign commerce.
							s in interstate commerce.
				of waters otherwise			
					ter identifi	ed in (1) – (4) above.	
		(6) The p	resence o	f territorial seas.	, .		
	90	(7) The p	resence o	f wetlands adjacent	to other w	aters of the US, except	for those wetlands adjacent to other wetlands.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: As shown on the applicant's plans. High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other: other:
118	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
0.00 0.00 0.00 0.00 0.00 0.00	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Sweeny, Texas U.S. Geological Survey 1.5 Minute Historic quadrangles: U.S. Geological Survey 1.5 Minute Historic quadrangles: U.S. Geological Survey 1.5 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:
	Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23974(01)

PROJE	CT LOCATION INFORMATION:
Stat	e: Texas
	inty: Galveston
	ter coordinates of site (latitude/longitude): Latitude 29° 28' 01"N; Longitude 94° 53' 01"W (NAD 27)
	proximate size of area (parcel) reviewed, including uplands: acres.
Nan	ne of nearest waterway: Galveston Bay
Nan	ne of watershed: West Galveston Bay Huc: 12040204
	ICTIONAL DETERMINATION
Cor	npleted: Desktop determination
	Site visit(s) Date(s):
Jur	isdictional Determination (JD):
	Preliminary JD - Based on available information, \(\square \) there appear to be (or) \(\square \) there appear to be no "waters of the
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).
×	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).
	Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within
	the reviewed area. Approximate size of jurisdictional area:
	<u></u>
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the
	reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.
	Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No
	Jurisdiction.
RACICA	OF JURISDICTIONAL DETERMINATION:
	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
121	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
	the past, of may be susceptible for use to transport interstate of foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
-	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters including interstate wetlands ¹ .
	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,
·	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
	destruction of which could affect interstate commerce including any such waters (check all that apply):
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
	(4) Impoundments of waters otherwise defined as waters of the US.
	(5) The presence of a tributary to a water identified in (1) – (4) above.
	(6) The presence of territorial seas.
	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands

FILE NUMBER: 23974(01)

	ordinary High Water Mark indicated by: clear, natural line impressed on the bank changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
8	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
X	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Texas City, Texas U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Datural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.